

PATENT
ATTORNEY DOCKET NO.: LEAPS-Con4
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael Seul

Serial No.: 09/690,040

Filed: 10/17/2000

Allowed: 7/24/2003

For: Light-Controlled Electrokinetic Assembly
of Particles Near Surfaces

) Group Art Unit: 1641

) Examiner: P. Do

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

Request/Petition for Simultaneous Issue of Patent

Dear Sir:

Pursuant to MPEP 1306.2, Applicants hereby requests or in the alternative petitions for immediate issuance of the above application as a patent. The request is made now, and was not made when the issue fee transmittal was mailed to the PTO on 7/31/03, because it has since then come to the attention of Applicant that a potential competitor will commercially launch infringing subject matter within the next few days -- well before the time a patent is otherwise expected to issue. A copy of the Issue Fee Transmittal (previously sent in) follows. Please charge any fee due in connection with this request to Deposit Account No. 502088.

Respectfully Submitted,

BY:

Eric P. Mirabel

Reg. No. 31,211

Bioarray Solutions, Ltd.

35 Technology Drive

Warren NJ 07059

(908) 226 8200 (ext 203)

Date: 9/18/03

I, Eric P. Mirabel, certify that, on the date indicated above, this correspondence and all attachments indicated herein are being faxed to the Assistant Commissioner for Patents, at (703) 746-5291